

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF Nos. 3928, 3930

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

**This motion relates to PREPA and
shall be filed in Case Nos. 17 BK
3283-LTS and 17 BK 4780-LTS.**

CONSENTED MOTION FOR EXTENSION OF DEADLINES

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Authority (“AAFAF”), on behalf of the Puerto Rico Power Authority (“PREPA”), pursuant to the authority granted to it under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, respectfully

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

submits this urgent consented motion for extension of deadlines, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Scheduling Briefing of Motion for Relief from Stay and for a Ruling that a Judgement on a Claim Arising from the Taking of Properties Without Just Compensation is Not Subject to Reduction or Compensation in Bankruptcy* [Case No. 17 BK 3283, ECF No. 3930] (the “Scheduling Order”).²

Request for Relief

1. On September 12, 2018, Ismael L. Purcell-Soler, Alys Collazo-Bougeois and the community of property they compose (collectively, “Movants”) filed the *Motion for Relief From Stay and for a Ruling that a Judgment on a Claim Arising from the Taking of Properties Without Just Compensation is Not Subject to Reduction or Compensation in Bankruptcy* [Case No. 17 BK 3283, ECF No. 3928] (the “Motion”), seeking an order (i) lifting the automatic stay with respect to the case captioned *Ismael Purcell-Soler, et al. v. Puerto Rico Electric Power Authority, et al.*, Case No. JDP 2012-0406 (the “Prepetition Action”), before the Puerto Rico Court of First Instance, and (ii) holding that any judgment entered in the Prepetition Action is not subject to reduction or compromise. Motion at 21.

2. On August 9, 2018 the Court entered the Scheduling Order, which provides that opposition papers to the Motion must be filed by September 26, 2018 and Movant’s reply papers must be filed by October 3, 2018.

3. PREPA is in the process of reviewing the pertinent information regarding the facts and issues raised in the Motion in an effort to seek a consensual resolution to the Motion. In

² The Financial Oversight and Management Board for Puerto Rico, as PREPA’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized AAFAF to file this motion on behalf of PREPA.

consideration of the foregoing, PREPA, with Movants' consent, have agreed to the following extensions of the deadlines set forth in the Scheduling Order:

- The deadline to file oppositions to the Motion, or to otherwise respond, shall be extended to **October 5, 2018**.
- The deadline for Movants to file reply papers to any oppositions shall be extended to **October 12, 2018**.

4. PREPA discussed this request with counsel for Movants who consented to the relief requested herein.

Notice

5. PREPA has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors' bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;³ (i) all parties filing a notice of appearance in these Title III cases; and (j) Movants. A copy of the motion is also available on the Debtors' case website at <https://cases.primeclerk.com/puertorico/>.

6. PREPA submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, PREPA respectfully requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: September 24, 2018
San Juan, Puerto Rico

Respectfully submitted,

/s/ Arturo Diaz-Angueira

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Exhibit A

Proposed Order